

218A.1414 Trafficking in controlled substance in third degree -- Penalties.

- (1) A person is guilty of trafficking in a controlled substance in the third degree when he or she knowingly and unlawfully traffics in:
 - (a) Twenty (20) or more dosage units of a controlled substance classified in Schedules IV or V; or
 - (b) Any quantity of a controlled substance specified in paragraph (a) of this subsection in an amount less than the amount specified in that paragraph.
- (2) (a) Any person who violates the provisions of subsection (1)(a) of this section shall be guilty of:
 1. A Class A misdemeanor for a first offense involving one hundred twenty (120) or fewer dosage units;
 2. A Class D felony for a first offense involving more than one hundred twenty (120) dosage units; and
 3. A Class D felony for a second or subsequent offense.
- (b) Any person who violates the provisions of subsection (1)(b) of this section shall be guilty of:
 1. A Class A misdemeanor for the first offense, subject to the imposition of presumptive probation; and
 2. A Class D felony for a second or subsequent offense, except that KRS Chapter 532 to the contrary notwithstanding, the maximum sentence to be imposed shall be no greater than three (3) years.

Effective: March 25, 2015

History: Amended 2015 Ky. Acts ch. 66, sec. 16, effective March 25, 2015. -- Amended 2011 Ky. Acts ch. 2, sec. 11, effective June 8, 2011. -- Created 1992 Ky. Acts ch. 441, sec. 14, effective July 14, 1992.